

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

INNOVATIVE GLOBAL SYSTEMS LLC,

Plaintiff,

v.

CADEC GLOBAL, INC. and
NETWORKFLEET, INC.

Defendants.

CIVIL ACTION NO. 6:09-cv-00157

JURY TRIAL DEMANDED

JOINT CLAIM CONSTRUCTION AND PREHEARING STATEMENT

Pursuant to Patent Rule 4-3 of the Patent Rules of the United States District Court for the Eastern District of Texas and the September 23, 2009 Docket Control Order entered in this case, the parties submit this, their Joint Claim Construction and Prehearing Statement. The parties' Joint Claim Construction Chart is attached as Exhibit "A."

1. The parties estimate that 1.5 hours per side is needed for the claim construction hearing.
2. The parties do not believe that the presentation of evidence will be required at the claim construction hearing. The parties agree that witnesses are not needed at the claim construction hearing unless the Court desires to have live testimony on any issue(s).
3. The parties do not anticipate the need for a prehearing conference.
4. The parties will advise the Court at a later date regarding technical advisors. The deadline for advising the Court regarding technical advisors is March 18, 2010.
 - (a) So long as a technical advisor is appointed, IGS and NetworkFleet do not believe that a technical tutorial is necessary.

- (b) Cadec does not believe that either a technical advisor or a technical tutorial is needed to understand the technology at issue in the patents. Due to severe financial constraints at Cadec, the costs of a technical advisor would impose an undue financial burden on Cadec. However, if the Court should be inclined to have either a technical advisor or a technical tutorial in this case, Cadec would propose that the parties prepare technical tutorials.
- (c) IGS believes that the added cost of a technical advisor in this matter would be extremely marginal and very well worth such cost.

5. The parties are, at this time, not aware of any issues that need to be resolved at a prehearing conference.

Dated: March 8, 2010.

Respectfully submitted,

/s/ Paul Morico
State Bar No. 00792053
Lisa Catherine Kelly
State Bar No. 24041659
BAKER BOTTS L.L.P.
One Shell Plaza
910 Louisiana
Houston, Texas 77002
Ph. (713) 229-1732
Fax: (713) 229-7732
paul.morico@bakerbotts.com
lisa.kelly@bakerbotts.com

Peter A. Nieves, NH Bar No. 15805
Robert R. Lucic, NH Bar No. 9062
Edward A. Haffer, NH Bar No. 1052
SHEEHAN PHINNEY BASS & GREEN
1000 Elm Street, 17th Floor
Manchester, NH 03101

/s/ Michael T. Cooke
State Bar No. 04759650
Jonathan T. Suder
State Bar No. 19463350
Todd I. Blumenfeld
State Bar No. 24067518
FRIEDMAN, SUDER & COOKE
Tindall Square Warehouse No. 1
604 East 4th Street, Suite 200
Fort Worth, Texas 76102
Ph. (817) 334 0400
Fax (817) 334 0401
jts@fsclaw.com
mtc@fsclaw.com
blumenfeld@fsclaw.com

Keith A. Rutherford
R. Scott Reese
Sarah R. Cabello

pnieves@sheehan.com
r lucic@sheehan.com
ehaffer@sheehan.com

**ATTORNEYS FOR DEFENDANT
CADEC GLOBAL, INC.**

/s/ Ophelia F. Camina
State Bar No. 03681500
SUSMAN GODFREY, LLP
901 Main Street, Suite 5100
Dallas, Texas 75202
Ph. (214) 754-1900
Fax: (214) 754-1933
ocamina@susmangodfrey.com

Lawrence K. Nodine, GA Bar No. 54250
Robin L. Gentry, GA Bar No. 141234
Charley F. Brown, GA Bar No. 086754
BALLARD SPAHR ANDREWS & INGERSOLL, LLP
999 Peachtree Street, NE, Suite 1000
Atlanta, GA 30309-3915
Ph. (678) 420-9300
Fax: (678) 420-9301
nodinel@ballardspahr.com
gentryr@ballardspahr.com
browncf@ballardspahr.com

**ATTORNEYS FOR DEFENDANT
NETWORKFLEET, INC.**

WONG, CABELLO, LUTSCH,
RUTHERFORD & BRUCCULERI, LLP
20333 SH 249, Suite 600
Houston, TX 77070
Ph. (832) 446-2400
Fax (832) 446-2424
krutherford@counselip.com
sreese@counselip.com
scabello@counselip.com

Eric M. Albritton
ERIC M. ALBRITTON, P.C.
P.O. Box 2649
111 West Tyler Street
Longview, TX 75601
Ph. (903) 757-8449 x204
Fax (903) 758-7397
ema@emafirm.com

**ATTORNEYS FOR PLAINTIFF
INNOVATIVE GLOBAL SYSTEMS, LLC**

CERTIFICATE OF SERVICE

I hereby certify that on the 8th day of March, 2010, I electronically filed the foregoing document with the clerk of the court for the U.S. District Court, Eastern District of Texas, Tyler Division, using the electronic case filing system of the court. The electronic case filing system sent a "Notice of Electronic Filing" to the attorneys of record who have consented in writing to accept this Notice as service of this document by electronic means.

/s/ Wayne B. Maydwell